

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 4, 2004

DIVISION ONE

B169441 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Louis P.
 In re Louie P., a juvenile

The August 18, 2003, order is reversed insofar as it terminated Father's parental rights (see *Los Angeles County Dept. of Children & Fam. Services v. Superior Court* (2000) 83 Cal.App.4th 947, 949). The matter is remanded for proper ICWA renotification (without the errors and omissions referenced in this opinion) concerning Father's family, properly named, and their relationships to Father, properly identified, to the BIA, the Yaqui tribe (Adapocco reservation), the Navajo Nation and the Secretary of the Interior. Respondent need not elicit nor pursue any additional information from Father, including the other persons mentioned in the undated letter referred to by attorney Wick but not part of the record of the hearing of August 18, 2003. All proceedings in the trial court pursuant to this remand are to be expedited to the extent statutorily permissible. If no tribe indicates that Louie P. is an Indian child, then the juvenile court is to reinstate its section 366.26 findings and orders.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

March 4, 2004 (Continued)

DIVISION ONE (Continued)

B156856 Moehlman (Not for Publication)
 v.
 Los Angeles County

The judgment is reversed in its entirety and the cause is remanded to the trial court for a new trial. Moehlman is entitled to her costs on appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

DIVISION TWO

B164941 People (Not for Publication)
 v.
 Stacy

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Doi Todd, J.

B165681 People (Not for Publication)
 v.
 Hernandez

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

March 4, 2004 (Continued)

DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B166885 People (Not for Publication)
v.
Giles

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

[illegible]

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

March 4, 2004 (Continued)

DIVISION TWO

B167140 People (Not for Publication)
v.
Baltazar

The judgment is affirmed.

Boren, P.J., Nott, J., Doi Todd, J.

B157103 Shalant
v.
Deutsch

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B171444 Los Angeles County, D.C.S. (Not for Publication)
v.
Victor A., et al.

The order is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B162319 People (Not for Publication)
v.
Beauford

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

March 4, 2004 (Continued)

DIVISION THREE (Continued)

B162986 Culbertson
v.
San Gabriel Unified School District, et al.

Filed order granting petition for rehearing. The matter shall stand submitted on April 7, 2004, upon the filing of plaintiff's reply brief.

DIVISION FIVE

B169436 Harmet Properties, LTD
v.
Edison Select, et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed August 7, 2003) dismissed.

DIVISION SIX

B167150 Robinson (Not for Publication)
v.
Squaw Valley Ski Corp.

The judgment is affirmed. Appellants shall bear costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B166661 Carpenter
v.
Carpenter

Filed order denying petition for rehearing.

March 4, 2004 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B166821 People v. Edwards (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B161607 People v. White
B162219 People v. Wright
B162886 People v. King
B164342 People v. Boesing
B165260 People v. Bryan L.
B165438 People v. Jefferson
B165446 People v. Hernandez

DIVISION SEVEN (Continued)

Each of the following (continued):

B165803 People v. Payno
B165857 People v. Matthews
B166795 People v. Anderson
B167308 People v. Patino
B167379 People v. Bradshaw
B169304 People v. Roland

Argument waived, cause submitted.

B166596 People
 v.
 Young

Merits:
Argued by Duane Bartsch for appellant and by Jason Tran, Deputy
Attorney General for respondent. Cause submitted.

B163281 People
 v.
 Gonzalez

Merits:
Argued by Roberta Schwartz, Deputy District Attorney for appellant and by
Richard Ross for respondent. Cause submitted.

B162074 People
 v.
 Howard

Merits:
Argued by David Macher for appellant and by Erin Pitman, Deputy
Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B168720 People
 v.
 Cilley

Merits:
Argued by Robert Weinberg for appellant and by Victoria Wilson, Deputy Attorney General for respondent. Cause submitted.

B166045 Nora
 v.
 Kaddo

Merits:
Argued by Oana Filimon for appellant and by Theodore Cohen for respondent. Cause submitted.

B162179 Jean Crump-Beavers
 v.
 Hollywood Forever

Merits:
Argued by Jean Crump-Beavers for appellant and by Todd Bloomfield for respondent. Cause submitted.

B161088 Montoya, et al.
 v.
 Vargas

Merits:
Argued by Vincent Thorpe for appellants and by Mark MacCarley for respondent. Cause submitted.

Court recessed at 10:51 a.m.

March 4, 2004 (Continued)

DIVISION SEVEN (Continued)

Court reconvened at 2:00 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B160831 QC Construction, et al.
 v.
 TLC Investment, et al.,
 Luan Fu

Merits:

Argued by William Buss for appellants and by John Chang and Sylvia Hayes for respondents. Cause submitted.

B162235 Dore
 v.
 Arnold Worldwide, et al.

Merits:

Argued by Caly Robbins for appellant and by Beth Orellana for respondents. Cause submitted.

B165053 Hoffman, et al.
 v.
 Del Rivo, et al.

Merits:

Argued by Rena Kreitenberg for appellants and by Tim Kearns for respondents. Cause submitted.

DIVISION SEVEN (Continued)

B170831 Hancock, et al.
 v.
 Superior Court, Los Angeles County
 (American West Homes, r.p.i.)

Merits:

Argued by Robin Meadow for petitioners and by Andrea Gauthier for real party in interest. Cause submitted.

B163114 Fashion 21, et al.
 v.
 Narro, et al.

Merits:

Argued by Carol Sobel for appellants and by Robin Dal Soglio for respondents. Cause submitted.

B163168 Garment Workers
 v.
 Superior Court, Los Angeles County
 (Fashion 21 et a., r.p.i.)

Merits:

Argued by Orit Michiel for petitioners and by Robin Dal Soglio for real parties in interest. Cause submitted.

Court adjourned at 4:24 p.m.

B165761 Calvert
 v.
 Countrywide Securities Corporation

Filed order denying petition for rehearing.

DIVISION EIGHT

B165365 Los Angeles County, D.C.S. (Not for Publication)

v.

Farshad M.,

In re Farshad M., a Person Coming Under the Juvenile Court Law.

The order refusing to destroy the copy of the videotape formally in the possession of the Department of Children and Family Services is reversed, and the matter is remanded for further proceedings.

Rubin, Acting P.J.

We concur: Boland, J.

 Flier, J.

B163121 Melanie Davis (Not for Publication)

v.

Frank Barbano

For the reasons set forth above, the order is affirmed. The parties will bear their own appellate costs.

Rubin, J.

We concur: Cooper, P.J.

 Boland, J.

B160438 People (Not for Publication)

v.

Carlos Deshawn Burns

The judgment is reversed.

Flier, J.

We concur: Cooper, P.J.

 Boland, J.

DIVISION EIGHT (Continued)

B158727 Theodore Rapolla (Not for Publication)
v.
Richard J. Massa, et al.

For the reasons set forth above, the judgment from the bench trial of January 2002 is affirmed as to only Rapolla's causes of action for fraud and legal malpractice. The judgment is reversed as to all remaining causes of action in the complaint and cross-complaint and the matter is remanded for a new trial consistent with the views on the legality of the retainer agreement expressed herein. Appellant to recover his costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.

B167123 David Woolley, et al. (Not for Publication)
v.
Marc Biederman, et al.

The order denying the motion to strike is affirmed. Respondents are to recover their costs on appeal.

Flier, J.

We concur: Cooper, P.J.
Boland, J.

B156032 People (Certified for Publication)
v.
William Robert Sales

The judgment is reversed and remanded with instructions to enter a judgment of acquittal as to Count IV.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

March 4, 2004 (Continued)

DIVISION EIGHT (Continued)

B167820 Los Angeles County, D.C.S. (Not for Publication)
v.
Kristen A.,
In re Ruby M., a Person Coming Under the Juvenile Court Law.

The juvenile court's orders are affirmed.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.